

## **PROGRESS REPORT #2**

### **Comm 10 CODE REVISION COMMITTEE**

**DATE:** Tuesday, September 19, 2000

**TIME:** 9:30 – 2:00

**PLACE:** Room 3B, Thompson Commerce Center, Madison, WI

#### **COMMITTEE MEMBER ATTENDANCE:**

Bob Bartlett	Present
Tim Clay	Present
Bob Elvert	Present
Paul Knower	Present
Dick Marx	Present
Dave Reinke	Present
Erin Roth	Present
Fred Schultz	Present
Dale Safer	Present

#### **STAFF ATTENDANCE:**

Sheldon Shall, ERS Div. (608)266-0956  
Darla LeGrave, ERS Div. (608)266-8076  
Bob Bertram, ERS Div. (715)345-5269, Alternate  
Mark Bennett, ERS Div. (608)266-8981  
Duane Hubeler, Safety & Buildings Div. (608)266-1390

#### **VISITORS:**

Larry Sands	Wisconsin Federation of Cooperatives, Alternate
Joan Pape	Wisconsin Petroleum Contractors Association
Cheryl Peterson	Madison Fire Department, Alternate

#### **ADMINISTRATIVE ISSUES:**

The meeting was called to order at 9:40 by Sheldon Shall. Introductions were made and the progress report from 6/20/00 was approved.

#### **SUBCOMMITTEE ISSUES:**

Dave Reinke of the Wisconsin Paper Council was introduced as a new member. Dave agreed to lead a subcommittee on hazardous substance (CERCLA) storage tank regulations.

The following 4 subcommittee team leaders reported on the progress of their respective subcommittees:

Bob Elvert, Team Leader - API 653 / AST Upgrade Subcommittee

Tim Clay, Team Leader - Farm & Mobile Tank Subcommittee

Dick Marx, Team Leader - Marine & RV Fueling Subcommittee

Fred Schultz, Team Leader - Aircraft Fueling Subcommittee

**API 653 / AST Upgrade Subcommittee:**

Bob Elvert started his presentation with a brief summary of API 653. API 653 is an industry standard that complements API 650 and addresses routine tank integrity assessment inspections and tank repair and modification inspections. Although not adopted by the code, Commerce presently recognizes API 653 tank management practices in place of the Comm 10 May 1, 2001 AST upgrade alternatives. The standard is under continual modification and improvement, as industry concerns and technology develop. It is based on preventive maintenance designed to keep a leak or catastrophic release from occurring. The resulting tank maintenance, repair and inspection schedules are risk-based and dependent upon corrosion rates determined via internal inspections and assessment. Inspections must be conducted by an API 653-certified inspector.

A concern with API 653 is that it does not currently apply to shop-built tanks. Sheldon Schall addressed this concern by distributing a new standard written by the Steel Tank Institute (STI), for the committee's consideration. This STI standard applies to periodic inspections of shop built tanks. Sheldon stated that STI is in the process of writing a standard for the inspection of repair and alterations to shop built tanks. There are also issues with API 653's applicability to tanks that have liners, which can hide leaks, and to tanks with double bottoms. Another potential problem on the regulatory side relates to the paper trail when tanks change owners. Records of past inspections and repair data may not go along with the tank.

**Farm & Mobile Tank Subcommittee:**

Tim Clay discussed the subcommittee's proposals on farm-placed tanks and mobile tanks. The primary emphasis for farm-placed tanks was to separate the regulatory requirements for farm operations by size. Large operations typically use a UL 142 tank while smaller operations typically use an NFPA 395 tank, which is limited to 1,100 gallons of capacity. A large operation could be determined by the number of non-family employees. Some committee members believe this would be too difficult to determine in the field when conducting an inspection. The subcommittee also suggested a different enforcement track for permanently mounted tanks (can be either UL 142 or NFPA 395) than for mobile tanks that may be movable either over the road or off-road. The subcommittee recommendation posed that NFPA 395 tanks would not require plan review, inspection or registration. One issue behind this suggestion is the rumor that insurance carriers may be modifying insurance policies bringing the delivery vendor into primary liability. The mobile tanks would have to meet DOT requirements to be transported over the

road. A separate set of requirements (to be developed), along with plan approval, would have to be met for the off-road tanks.

### **Marine & RV Fueling Subcommittee:**

Dick Marx summarized issues identified by this subcommittee as needing the most attention:

- 1) Can setback requirements by DNR, local governments and Commerce be made uniform?
- 2) Can suppliers be made to supply only to code complying systems?
- 3) Can delivery people get more training?
- 4) Piping requirements need review.
- 5) The issue of fueling inside of boat houses should be addressed.
- 6) Fire wall requirements need review.
- 7) Hose reels vs. dock mounted hose needs review.
- 8) Point of sale dispensing in general should be addressed.
- 9) There should be containment equipment requirements to address accidental spills over water.
- 10) Since most boat overfills go into the water, other industries, such as outboard manufacturers, need to be involved.

Other considerations:

- ◆ The DNR might be willing to add educational literature on safe fueling practices to their biennial boat registration information.
- ◆ Resort owners should be allowed to police the safe fueling of boats and RVs on their property since they have the biggest stake in fire safety and environmental protection. This will always be preferable to allowing individuals to fill, transport and then dispense gas from small cans.
- ◆ Committee should consider a decal placed on dispenser reflecting compliance associated with annual inspection

### **Aircraft Fueling Subcommittee:**

Fred Schultz showed a video taken during a tour of Mitchell International Airport's various fueling operations.

This subcommittee has identified a large number of national standards and specifications that apply to some aspect of aircraft fueling. A major goal is to identify the scope and limits of regulatory authority as it applies to commercial vs. government vs. private aircraft and airports.

Specific issues are as follows:

- 1) Collision awareness & point of fueling
- 2) Tanks in service areas and in traffic areas
- 3) Hydrant systems
- 4) Point of sale
- 5) Setback requirements

- 6) Mobile tanks
- 7) Helicopter & fixed wing aircraft transient operations
- 8) Fueling and defueling operations
- 9) Inspection standards
- 10) Fuel quality testing

#### **ADDITIONAL CONSIDERATIONS:**

Sheldon Schall, with input from the Committee, listed 6 additional topics that need to be considered in this code update:

- 1) Tank lining requirements
- 2) SIR (Statistical Inventory Reconciliation) and other leak detection operational requirements
- 3) Electronic leak detection operational requirements
- 4) Emergency generator operational requirements
- 5) Financial responsibility requirements for ASTs
- 6) Waste oil requirements

Bob Bartlett will try to find a subcommittee team leader to study the waste oil issue. The 5 remaining topics will have proposals drafted by department staff for discussion by the full Committee.

The Wisconsin Insurance Alliance is interested in representation on the Committee and will be providing a representative shortly.

#### **ASSIGNMENTS FOR NEXT MEETING:**

Subcommittees should continue to meet to address related concerns, develop and fine-tune proposed revision items and advance the proposals to the general committee.

Everyone should begin reviewing Draft #1 of the proposed code update supplied in the white binders. Draft #1 reflects code revision suggestions resulting from the Commerce 1996 focus group sessions.

The Bureau of Storage Tank Regulation Web Page has direct links to USEPA and many regulatory agencies in other states. This information should be valuable as this project continues. The Department of Commerce Home page is: [www.commerce.state.wi.us](http://www.commerce.state.wi.us) Go to Petroleum Programs, then to Bureau of Storage Tank Regulation, (which is URL: <http://www.commerce.state.wi.us/ER/ER-BST%20Home%20Page.html>)

**NEXT MEETINGS:** The next 2 meetings of the full Comm 10 Committee are scheduled for Wednesday, October 25 and Thursday, December 7. Please mark your calendars.